

ORDINANCE NO. 023-116

AN ORDINANCE AUTHORIZING AN  
INTERGOVERNMENTAL AGREEMENT  
WITH THE CHICAGO PARK DISTRICT FOR  
THE ACQUISITION OF A PARK PARCEL  
FOR THE RED LINE EXTENSION  
PROJECT IN EXCHANGE FOR  
IMPROVEMENTS TO AND CONVEYANCE  
OF REPLACEMENT PARCELS

WHEREAS, The Chicago Transit Authority (“Authority”) is undertaking a project to build stations and extend rail infrastructure on the Red Line, also known as the Red Line Extension Project (the “Project”); and

WHEREAS, The Project will extend the Red Line from the existing terminal at 95th/Dan Ryan to 130th Street and include four new stations near 103rd Street, 111th Street, Michigan Avenue, and 130th Street, with multimodal connections at each station including bus, bike, pedestrian, and park & ride facilities; and

WHEREAS, The Project will reduce commute times for residents, improve mobility and accessibility, and foster economic development, where stations may serve as catalysts for neighborhood revitalization; and

WHEREAS, The Metropolitan Transit Authority Act (“MTA Act”), 70 ILCS 3605/6, permits the Authority to acquire, construct, own, operate and maintain a public service transportation system in the area; and

WHEREAS, The MTA Act, 70 ILCS 3605/8, provides that the Authority has the power to acquire any property useful for its purposes; and

WHEREAS, The Transit Board previously designated properties for acquisition for the Project (“Designated Parcels”), per Ordinance No. 022-118; and

WHEREAS, The Project will affect one of the Designated Parcels, a portion of Fernwood Parkway located between 99th and 103rd Streets (“Impacted Park”), that is managed and owned by the Chicago Park District (“Park District”); and

WHEREAS, Pursuant to an intergovernmental agreement with the Park District (the “IGA”), attached as Exhibit A hereto, the Authority, in exchange for the Impacted Park, described in Exhibit A to the IGA, will acquire, improve, and convey multiple parcels (“Replacement Parks”) to the Park District equivalent in acreage of the Impacted Park area for a total of 4.1 acres, or more if an equivalent match of acreage is not feasible, to be selected from the list of parcels described in Exhibit B to the IGA; and

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WHEREAS, The list of potential Replacement Parks in Exhibit B to the IGA may be amended from time to time by agreement of the parties without further Transit Board approval; and

WHEREAS, The IGA requires the Authority to perform environmental site assessments of the Replacement Parks and obtain an Illinois EPA No Further Remediation Letter, if necessary, based on evaluation of Phase II results; and

WHEREAS, The IGA requires the Authority to complete improvements to the Replacement Parks such as tree removal, fine grading, removal of any foundations or abandoned utilities three feet or less from the surface, rooting soil improvements if needed, seed or sod installation, and fencing; and

WHEREAS, The Park District will assume certain releases and indemnifications for the Replacement Parcels that the Authority accepted pursuant to a separate intergovernmental agreement with the City of Chicago; and

WHEREAS, Cooperation between and among governmental agencies and entities through intergovernmental agreements is authorized by the Intergovernmental Cooperation Act (5 ILCS 22/1 et seq.); now, therefore:

BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD  
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. The Chairman of the Chicago Transit Board, or his designee, is authorized to enter into an intergovernmental agreement with the Chicago Park District which requires the Park District to transfer the Impacted Park to the Authority, requires the Authority to acquire, improve, and convey Replacement Parks to the Park District, and contains such other terms as are substantially in conformance with the Intergovernmental Agreement between the Chicago Transit Authority and the Chicago Park District (Red Line Extension) attached as Exhibit A hereto.

SECTION 2. The Chairman of the Board, or his designee, is further authorized to take such actions and execute such documents as may be necessary to implement the objectives of this ordinance.

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SECTION 3. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

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Chairman

October 13, 2023

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Secretary

October 13, 2023